

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|   |   |  |
|---|---|--|
| <b>IRWIN INDUSTRIAL TOOL CO., et al.,</b> | ) | Case No. 1:06CV0164                                |
|   | ) |  |
| Plaintiffs,                               | ) | JUDGE DAVID D. DOWD, JR.                           |
|   | ) |  |
| vs.                                       | ) | Mag. Judge James S. Gallas                         |
|   | ) |  |
|   | ) |  |
|   | ) |  |
| <b>MAGNA INDUSTRIES, INC.,</b>            | ) | <b>STIPULATION OF DISMISSAL WITH<br/>PREJUDICE</b> |
| Defendant.                                | ) |  |

**IT IS HEREBY STIPULATED** by and between the parties through their counsel that this action, including the Complaint and Counterclaims, is hereby dismissed with prejudice and on the merits, each party to bear its own costs. Provided, however, that the Court shall retain jurisdiction over the enforcement of the Settlement Agreement and Mutual Release between the parties and any agreements entered into pursuant to said Settlement Agreement and Mutual Release (collectively “the Agreements”). The parties have consented to the jurisdiction of Magistrate Judge Gallas to resolve any disputes concerning the Agreements.

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**IT IS SO ORDERED.**

s/David D. Dowd, Jr. 10/20/2006

**JUDGE DAVID D. DOWD, JR.**